



DOCKET NO.: CAP 0015-100

PATENT

APPLICATION SERIAL NO. 10/693,308

RESPONSE TO RESTRICTION REQUIREMENT DATED APRIL 27, 2006

REPLY TO RESTRICTION REQUIREMENT DATE MAILED FEBRUARY 27, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Frank Grosveld

Confirmation No. 1498

Serial No.: 10/693,308

Art Unit No.: 1632

Filing Date: October 24, 2003

Examiner: Anoop K. Singh

For: IMMUNOGLOBULIN 2

Customer No.: 34132

EXPRESS MAIL LABEL NO.: EV552 953 672US
DATE OF DEPOSIT: April 27, 2006

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT
DATE MAILED FEBRUARY 27, 2006

This paper is filed in response to the Restriction Requirement dated as mailed **February 27, 2006**, the period for response expiring **March 27, 2006**. A petition for an extension of time for one-month through **April 27, 2006**, and the appropriate fee, accompany this response.

Claims 1-32 are pending.

The Restriction Requirement requests election between six (6) inventions which are briefly outlined as follows below.

Group I – claims 1-16, drawn to methods for the production of VHH single heavy chain and camelised VH heavy chain antibodies in a mammal, classified in class 436, subclass 547.

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Group II – claims 17-19, drawn to a VHH single heavy chain antibody, classified in class 424, subclass 130.1.

Group III – claims 20-24, drawn to a camelised VH single heavy chain antibody, classified in class 424, subclass 130.1.

Group IV – claims 25-27, drawn to a vector comprising a VHH heavy chain or camelised VH heavy chain locus and cell transformed by said vector, classified in class 424, subclass 93.2.

Group V – claims 28-31, drawn to a transgenic mammal expressing a heterologous VHH heavy chain locus or camelised VH heavy chain locus and a method of producing single chain antibodies by immunizing a transgenic mammal, classified in class 800, subclass 8.

Group VI – claim 32, drawn to a method of using a single heavy chain for the prophylaxis and/or treatment of disease, classified in class 424, subclass 184.1.

Applicants hereby elect to prosecute the claims of Group I, claims 1-16, with traverse.

Groups I-III are related as processes of making and products made. The U.S. Patent Office states that the compositions of, *inter alia*, Groups II-III are patentably distinct from the method of *inter alia*, Group I, because “methods cannot be used to produce the compositions.” Applicants do not understand the U.S. Patent Office’s argument. Applicants submit that the process cannot be used to make a materially different product, nor can the product be made by a materially different process. Applicants request that the U.S. Patent Office document an alternative process that can be used to make the products of Groups II and III, if it maintains this restriction requirement. (MPEP § 806.05(f))

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CONCLUSION

Applicants respectfully submit that all claims are allowable and request early notification of the same.

Respectfully submitted,

Dated: April 27, 2006


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